

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

IN RE: CASE NO. 15-30684  
CHAPTER 13  
JUDGE: Opperman

SHEILA A. HODGE

**Debtor**

**CONFIRMATION HEARING CERTIFICATE**

**RE: OCTOBER 18, 2016 HEARING**

OBJECTIONS TO CONFIRMATION BY TRUSTEE: AT THE HEARING, the Debtor intends to Request an adjournment of the confirmation hearing to December 13, 2016 for the following good cause:

The Debtor's former husband, Darrell Parks, has filed both an Objection to Confirmation and an adversary action seeking to deny discharge of the Debtor's obligation to him. The case is scheduled for trial on October 24, 2016, and favorable rulings are anticipated, which in turn will facilitate confirmation.

The Debtor has filed an Amended Plan, (Docket #83) which increases the funding and lengthens the duration so as to allow the tax claims to be paid 100%. Other objections as understood by the Debtor are as follows:

1. Amend Schedules B & C for Dort Federal account.

Resolution: *Amended B & C has been filed* (Docket #48).

2. Amend Schedule I to provide pro-rata tax refunds

Resolution: *Amended I provides this, by increasing the monthly amount on Schedule J by 1/12th of the 2014 refund of \$1,821.00 = \$151.75 per month; however, this is likely to be more than offset by the increase in the Debtor's auto insurance from \$247 to \$318.*

Provide to the Trustee:\ 2014 Tax return: *Has been provided, as of August 11, 2015.*

**Debtor's Responses to other Trustee Request for Documentation/Objections**

1. The Sheila A. Hodge Trust is no longer in existence as an active entity. The Debtor does not have possession of any trust declaration. Debtor's attorney has issued a subpoena to the law firm of Winegarden, Shedd asking for a copy of any document in its files, and a copy of the firm's response was sent to CLB Financials on April 6, 2016. If any disbursement out of the trust account occurred, that was years ago. The Debtor's attorney spoke by phone with Zachary Tucker, a member of the firm, who stated that he was unable to find any record of trust or related documents having been prepared by the firm. The Debtor is curious as to the source of what appears to be spurious information.

2. The 2012 tax refund has been sent via e-mail to CLB Financials.

3. The Debtor's complete bank statements have been requested formally by subpoena, copies attached. (Exhibits B and C). However, a charge will be imposed by Financial Plus Credit Union which the Debtor will be have difficulty bearing.
4. The Debtor states that at no time has she placed funds in bank or financial institution accounts held in the name or names of third parties.
5. The Debtor's quarterly and annual brokerage statements where Debtor is listed as a co-owner or residual beneficiary are not supplied because the Debtor has no such joint accounts.
6. The Debtor stays with her mother when she is in Florida. The Debtor has no ownership interest in any real estate in Florida (or any other state or nation), either as a deedholder, mortgagor, land contract vendee or vendor, time share owner, or otherwise.
7. The Debtor states that she has no interest in D.R. Parks, Co. and S.A. Hodge, Inc.
8. As to the boat slips mentioned on Schedule B, one was assigned back to the marina due to unpaid property taxes. The other has a value of \$5,000 or less and the Debtor has attempted to sell it, without success. The Debtor would love to sell the slip but efforts to do so have been unsuccessful.
9. The Debtor states that there was never more than one "Seadoo" and that that was given away approximately three years ago while in non-working condition.
10. If any theoretical conflict of interest ever existed on the part of Mr. Streby, that was resolved initially by his agreement with the Debtor to reduce his claim for services in state court from more than \$13,000 to a flat \$10,000.00. Thereafter, the potential conflict was eliminated completely by Mr. Streby's forbearance to file a claim for the said \$10,000.00, meaning that he no longer holds status as creditor, other than for his services in this Bankruptcy.
11. The Debtor has no legal interest in 9450 Pere Marquette, Grand Blanc, Michigan, the house owned and occupied by her son and daughter in law, Justin and Erin Hodge, and their two children. The Debtor pays \$300 per month in cash rent and \$500, more or less, each month to Consumers Energy as in-kind rent.

Verification of SSI and pension amount: Has been provided

Title to Vehicle (sic): No longer applicable, as the 2011 Impala has been surrendered to the creditor. Debtor is relying on borrowed vehicles for transportation.

Financial Plus checking statements: Has been provided.

Copy of Judgment of Divorce: The February 24, 2015 order from the Genesee County Circuit Court, a post-judgment order that merges all claims and entitlements found in the judgment of divorce, has been provided to the Trustee.

**Creditor Objections:**

The objection to confirmation by Darrell Parks will be resolved through the adversary action. A settlement of that action is extremely unlikely. Trial is scheduled for October 24, 2016.

*/s/John A. Streby*

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October 12, 2016